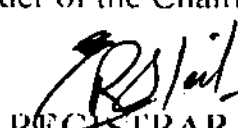


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Appeal No. 2010 / 2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 23.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

A No-2010/24

GUL SHAHEEN  
V/S:

Government of KP & others

INDEX

S#	DESCRIPTION OF THE DOCUMENTS	ANNEX	PAGES
1.	Appeal and Verification	*	1-4
2.	Application for suspension	*	5
3.	Copy of Monthly Salary account	A.	6-9
4.	Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020	B.	10-11
5.	Copy of Impugned Letter dated June 06th, 2023	C.	12-14
6.	Copy of Minutes of Meeting dated 06-07-2023	D.	15-18
7.	Copy of Letter dated 23-08-2023	E.	19-20
8.	Copy of Impugned letter dated 07-09-2023	F.	21-22
9.	Copy of Representation against the said notification and representation made by APTA President	G & H	23 24-25
10.	Wakalat Nama		26

ADVOCATE

M. Muazzam Butt

## BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 20/0 /2024

Gul Shaheen Wife of Muhammad Javed, SPST  
GGPS Urmar Hiana, Tehsil & District Peshawar

.....Appellant

**VERSUS**

- 1) Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar
- 2) Secretary to Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Civil Secretariat, Peshawar
- 3) Director Elementary and Secondary Education Department, Civil Secretariat Near MPA Hostel, Peshawar

.....Respondents

**SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974. AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED**

**PRAYER:**

**ON ACCEPTANCE OF INSTANT SERVICE APPEAL, THE IMPUGNED NOTIFICATION BEARING NO: SO (POLICY) E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, MAY BE DECLARED AND ORDERED TO BE STRUCK DOWN BEING VOID AND ULTRA VIRES TO THE CONSTITUTION OF PAKISTAN AND FUNDAMENTAL PRINCIPLES OF NATURAL JUSTICE AND AGAINST THE RIGHTS OF APPELLANT.**

**ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE APPELLANT.**

**RESPECTFULLY SHEWETH:**

1. That the Respondents Department appointed the Appellant as Senior Primary School Teacher.  
Copy of Appointment letter is annexed as **Annexure A**

- e. That non-availing of promotion and foregoing thereof does not cause loss to the government exchequer and in consequence of foregoing promotion, pave way to the next employee in seniority, aspiring for promotion could be promoted.
- f. That the impugned promotion Notification dated 06/08/2020 communicated on 06/06/2023 is perverse, discriminatory, against the law, pungent and is a blunt blow of hammer on the rights of the appellant. It is not out of place to mention here that the appellant are teachers and have to look after their children as well as ailing dependent family members and in these circumstances in the presence of impugned Notification dated 06/08/2023 communicated on 06/06/23 would not be able to serve in the department and which shall amount to the snatching of bread and butter of the poor employees

**It is, therefore, humbly prayed that on the acceptance of the instant Service Appeal; the impugned Notification bearing No. SO (POLICY) E&D/1-3/2020 DATED 06/08/2020, communicated to Respondent No.2 by Respondent NO.1, vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.**

**It is further prayed that no penal action as proposed and envisaged in letter dated 06/06/2023 may be declared as unlawful, illegal and without having any legal effect.**

**Any other relief, which this honorable Tribunal deems fit and proper in the circumstances of the case, may also be granted to the appellant.**

**AFFIDAVIT:**  
 I, (the appellant) solemnly declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

*Rul Shahen*  
 Respondent

Through

Appellant  
*Rul Shahen*

*Muhammad Muazzam Butt*  
 Muhammad Muazzam Butt  
 Advocate Supreme Court

*Muhammad Adeel Butt*  
 Muhammad Adeel Butt  
 Advocate High Court

*Bassam Ahmad Siddiqui*  
 Bassam Ahmad Siddiqui  
 Advocate High Court  
 LL.M- Human Rights

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA**

C.M No \_\_\_\_\_ P of 2024

In Ref to

Service Appeal No \_\_\_\_\_ /2024

**GUL SHAHEEN  
VERSUS**

Secretary to Government of Khyber Pakhtunkhwa, & others

**APPLICATION FOR SUSPENSION OF IMPUGNED NOTIFICATION BEARING NO. SO (POLICY) E&D/1-3/2020 DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO.2 BY RESPONDENT NO.1, VIDE LETTER DATED 06/06/2023 TILL THE FINAL DISPOSAL OF CASE IN HAND.**

Respectfully Submitted:-

1. That the instant application may be treated as part and parcel of service appeal of the appellant.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant.
3. That there is likelihood success of the appellant in the lis. And if the notification bearing No. So (Policy) E&D/1-3/2020 Dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, Vide Letter Dated 06/06/2023 is not suspended the appellant would suffer irreparable loss.
4. That valuable rights of the appellant is involved in the case.

In view of the reasons, it is humbly requested that the notification bearing No. So (Policy) E&D/1-3/2020 dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, Vide Letter Dated 06/06/2023 may kindly be suspended till the final disposal of the main appeal in hand.

*Gul Shaheen*

Appellant

**AFFIDAVIT:**

I (the appellant) do hereby solemnly stated on oath that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Court

*Gul Shaheen*  
Deponent

Through

Muhammad Muazzam Butt  
Advocate Supreme Court

Muhammad Adeel Butt  
Advocate High Court

6

**Dist. Govt. KP-Provincial**  
**District Accounts Office Peshawar Dist.**  
**Monthly Salary Statement (January-2024)**



**Personal Information of Miss GUL SHAHEEN d/w/s of SHER MUHAMMAD**

Personnel Number: 00045544 CNIC: 1730126376534 NTN: 0  
 Date of Birth: 01.04.1974 Entry into Govt. Service: 29.11.1995 Length of Service: 28 Years 02 Months 004 Days

**Employment Category: Vocational Temporary**

Designation: SENIOR PRIMARY SCHOOL TEA 80678603-DISTRICT GOVERNMENT KHYBE

DDO Code: PW6572-District Peshawar

Payroll Section: 002 GPF Section: 001 Cash Center: 83

GPF A/C No: EDU 000183 GPF Interest applied GPF Balance: 599,983.00 (provisional)

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 14 Pay Stage: 24

Wage type		Amount	Wage type		Amount
0001	Basic Pay	64,290.00	1004	House Rent Allow 45% KP21	8,640.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	800.00	2199	Adhoc Relief Allow @10%	535.00
2316	Teaching Allowance 2021	3,036.00	2341	Dispr. Red All.15% 2022KP	6,138.00
2347	Adhoc Rel Al 15% 22(PS17)	6,138.00	2378	Adhoc Relief All 2023 35%	21,892.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3014	GPF Subscription	-3,900.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-2,421.00	3990	Emp.Edu. Fund KPK	-135.00
4004	R. Benefits & Death Comp:	-600.00			0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	434,000.00	-12,400.00	136,400.00

**Deductions - Income Tax**

Payable: 37,649.88 - Recovered till JAN-2024: 16,133.00 Exempted: 9412.33 Recoverable: 12,104.55

Gross Pay (Rs.): 115,825.00 Deductions: (Rs.): -20,656.00 Net Pay: (Rs.): 95,169.00

Payee Name: GUL SHAHEEN

Account Number: 4038802016

Bank Details: NATIONAL BANK OF PAKISTAN, 230386 PESHAWAR CANTT PESHAWAR CANTT, Peshawar

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: PESH

City: Peshawar

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: gulshaheen450@gmail.com

**ATTESDED**

System generated document in accordance with APPM 4.6.12.9(87333/25.01.2024/v3.0)

\* All amounts are in Pak Rupees

\* Errors & omissions excepted (SERVICES/02.02.2024/19:10:13)

7  
Gul  
Shahreen

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PRIMARY PESHAWAR.

APPOINTMENTS ORDER OF P.T.C.

Consequent upon the selection Committee  
Appointments of the following P.T.C. (Trainee) Candidates have been  
ordered in the B.P.C. NO. 07 (B.P. 1458-B1-262) No. 1480, P.M. H. No. 1  
Plus usual Allowances as Admissible under the Rules in the force  
noted against each NAME with effect from the date of their taking  
over charge under the terms and conditions given below:

PF-3

<u>SNO.</u>	<u>NAME OF CANDIDATES/FATHER'S NAME</u> <u>ADDRESS.</u>	<u>POST AT</u>	<u>REMARKS</u>
1.	Hajma Shahreen D/O Rahim ullah BSc PTC 1993-94 (834/1200) H. NO. E-2/279 Phase NO. 1, Hayat Abad Peshawar.	GGPS Mirza Peshawar.	Against Vacant PTC Post Vice Bana Relax Higher Resigned.

PF-4

2.	Nagina Saeed D/O Saeed Haid Matric/PTC 1993-94 (834/1200) H. NO. 7 Damba Road Hothia Jaded Peshawar Cantt.	GGPS Ghari Mosam	Against Vacant PTC Post
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PF-7

3.	Hashmat Jehan D/O Wazir Zada Matric/PTC AIOU (578) Village & P.O. Urmar Rayan	GGPS Urmar Bala Pesh.	Against Newly created PTC Post
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GENERAL MERIT

4.	Razia Bibi D/O S. Rahim Shah Matric/PTC 1992-93 (746/1200) Ghari Inyat Abad Gul Bahar No. 1 Peshawar.	GGPS Hera Haseh Cuggar (Muslim Abad)	-de- -de-
Continue on Next Page			
5.	Shazia Horeen D/O Abdul. Qattar Matric/PTC 1993-94 (857/1200) Mohallah Gungian Illaga Yakatoot H. NO. 2239 Peshawar.	GGPS Hera Haseh Cuggar (Muslim Abad)	-de- -de-

ATTESTED

- |  |  |                                      |
|--|--|--------------------------------------|
| Shazia Minhas D/O Mohammad Younis<br>Matric/PTC 1993-94 (855/1200)<br>H. NO. 1 Atta Mohammad Building<br>Railway Line Peshawar                     | GGPS Khatt<br>Killi Pesh                 | do                                   |
| Sofia Tabasum D/O Imdad Hussain<br>F. A/PTC 1993-94 (855/1200)<br>Mohallah Pir Gulab Shah H. NO<br>2015 Illaga Hashtnagri Pesh                     | GGPS Hera<br>Jasho Sugar<br>(Toor Kandi) | do                                   |
| Shahnaz Begum D/O Yahya Gul<br>Matric/PTC (812/2500) H. NO<br>T-868 Mohallah Islamabad<br>Sakindar Pura Peshawar                                   | GGPS Hera<br>Jasho Sugar<br>(Toor Kandi) | do                                   |
| Farhat Begum D/O Fazal Ali<br>Matric/PTC 1993-94 (852/1200)<br>Sheikh Abad Out side Lahori<br>Gate Peshawar  | GGPS Maryam Zai<br>Peshawar              | do                                   |
| Farah Naz D/O Pir Khan Badshah<br>D. A/PTC 1993-94 (350/1200) C/O<br>Saeed Medicine House Din Bahar<br>Colony Peshawar                             | GGPS Hera Shahi<br>Bala No. 1 Peshawar   | Against<br>Vacant<br>Post.           |
| Shazia Haqsood D/O Haqsood Ahmed<br>Matric/PTC 1993-94 (850/1200)<br>H. NO. 540 Mohallah Kotla Sultan<br>Gung Peshawar City                        | GGPS Darwaz Gai<br>Peshawar              | Against<br>Newly<br>Created<br>Post. |
| Shazia Shaheen D/O Abdul Majeed<br>F. A/PTC 1993-94 (847/1200) H. NO<br>4468 Mohallah Afridi Khan<br>Peshawar                                      | GGPS Badbair<br>Peshawar                 | Against<br>Vacant<br>P T C<br>Post   |
| Zakia Minhas D/O Mohammad Younis<br>F. A/PTC 1993-94 (848/1200)<br>H. NO. 1 Atta Mohammad Building<br>Hear Railway Line Peshawar                   | GGPS Khatt<br>Killi Pesh                 | Against<br>Newly<br>Creat<br>Post    |
| Samina Gul D/O Abdul Chaffar<br>F. A/PTC 1993-94 (848/1200)<br>H. NO. 1964-T Mohallah Cagnat<br>Avan Khan Illaga Hashtnagri<br>Peshawar City       | GGPS Chari<br>Peshawar Pesh              | do                                   |
| Magina Fazal D/O Fazal Mohammad<br>F. A/PTC 1993-94 (846/1200) C/O<br>Fazal Mohammad O/O Director General<br>Local Govt Peshawar & Rural Devt Pesh | GGPS Dr Gul<br>Bawal Killi               | Against<br>Vacant<br>PTC<br>Post.    |
| Sabha Khanum D/O Mohammad Edy Zaman<br>Matric/PTC 1993-94 (842/1200)<br>Haji Sadder Sher Zaman Inside<br>Hashtnagari Peshawar                      | GGPS Pir<br>Killi Pesh                   | do                                   |

**ATTESTED**



- 17. Saima Nukhtar D/O Nukhtar  
Matric/PTC 1993-94 (843/1200)  
H.No. 3029 Umar Ferooz Street  
H-D Kabli Gate Peshawar. GGPS Chari  
Bawar Pesh. Against  
Newly  
Created  
PTC  
Post.
- 18. Soufia Akhtar D/O Akhtar Hussain  
B.A/PTC 1993-94 (838/1200)  
H.No. 1090 Mohallah Jogan Shah  
Peshawar City. GGPS H. No. 1  
Zai Pesh. Post.
- 19. Tamana Begum D/O Jan Alam  
F.A/PTC 1993-94 (834/1200)  
Gul Bahar No. 2 Asad Colony  
Peshawar City. GGPS Mirai  
Dala Pesh. Post.
- 20. Kulsoom Akhtar D/O Abdul Rahim  
Matric/PTC 1993-94 (834/1200)  
H.No. 1676 Mohallah Dand Gariskan  
Dabgari Peshawar. GGPS Yashin  
Khail Pesh. Against  
Vacant  
PTC  
Post.
- 21. Romana Yasmeen D/O Hisham Khan  
F.A/PTC 1993-94 (832/1200)  
K-710 Mohallah Nishtar Puga  
Lahori Gate Peshawar. GGPS Tashir  
Pura Pesh. Against  
Vacant  
PTC  
Post  
Vice  
Ismat  
A. R. a  
Rab.  
Against  
Vacant  
PTC  
Post.
- 22. Shazia Karim D/O Fazal Karim  
F.A/PTC 1993-94 (832/1200)  
Babu Tent Service Peshawar. GGPS Sheikh  
Mohammadi No. 1  
Peshawar. Against  
Vacant  
PTC  
Post.
- 23. Rizwana Masood D/O H. Masood  
ur Rehman B.A/PTC 1993-94  
(831/1200) C/O Masood ur Rehman  
Advocate Amin Colony Back  
Small Industry Kohat Road Pesh. GGPS Sheikh  
Mohammadi No. 1  
Peshawar. Against  
Vacant  
PTC  
Post.
- 24. ~~Shazia Karim D/O Fazal Karim~~ GGPS Umar  
F.A/PTC 1993-94 (830/1200) Hiana Pesh. Against  
Newly  
Created  
PTC  
Post
- 25. Irum Aziz D/O Abdul Aziz  
Matric/PTC 1993-94 (829/1200)  
H.J-3030 Street Jehangir Pura  
Peshawar City. GGPS Umar  
Hiana Pesh. Against  
Newly  
Created  
PTC  
Post
- 26. Shazia Sultana D/O Taj Mohammad  
Matric/PTC 1993-94 (828/1200)  
H.No. 302/42 Alamgir Street  
Peshawar. GGPS Lal Eada  
Koroona Vice  
Speedo  
Transf.

ATTESTED


- |     |  |  |  |
|-----|--|--|--|
| 17. | Saima Mukhtar D/O Mukhtar<br>Matric/PTC 1993-94 (833/1200)<br>H.No. 3929-Umar Farooq Street<br>H-D Kabli Gate Peshawar                                       | GGPS Ghari<br>Bawa Pesh.                   | Against<br>Newly<br>Created<br>PTC<br>Post.                        |
| 18. | Soufia Akhtar D/O Akhtar Hussain<br>B.A/PTC 1993-94 (838/1200)<br>H.No. 1098 Mohallah Jagan Shahi<br>Peshawar City   | GGPS Haroon<br>Zai Pesh.                   |  |
| 19. | Tamara Begum D/O Jan Alam<br>F.A/PTC 1993-94 (834/1200)<br>Gul Bahar No. 1 Asad Colony<br>Peshawar City  | GGPS Umar<br>Dala Pesh.                    |  |
| 20. | Kulsoom Akhtar D/O Abdur Rahim<br>Matric/PTC 1993-94 (834/1200)<br>H.No. 1576 Mohallah Dand Barishan<br>Dabgari Peshawar                                     | GGPS Yaran<br>Khail Pesh.                  | Against<br>Vacant<br>PTC<br>Post.                                  |
| 21. | Romana Yasmeen D/O Hiskeen Khan<br>F.A/PTC 1993-94 (832/1200)<br>K-710 Mohallah Nishtar Pura<br>Lahori Gate Peshawar   | GGPS Tahir<br>Pura Pesh.                   | Against<br>Vacant<br>PTC<br>Post<br>Vice<br>Ismat<br>A r a<br>Ret. |
| 22. | Shazia Karim D/O Faqar Karim<br>F.A/PTC 1993-94 (832/1200)<br>Babu Tent Service Pesh.  | GGPS Sheikh<br>Mohammadi No.1<br>Peshawar. | Against<br>Vacant<br>PTC<br>Post                                   |
| 23. | Rizwana Hasood D/O H. Hasood<br>ur Rehman B.A/PTC 1993-94<br>(831/1200) C/O Hasood ur Rehman<br>Advocate Amin Colony Back<br>Small Industry Kohat Road Pesh. | GGPS Sheikh<br>Mohammadi No.1<br>Peshawar. | Against<br>Vacant<br>PTC<br>Post.                                  |
| 24. | Gul Shaheen D/O Sher Mohammad<br>F.A/PTC 1993-94 (830/1200)<br>Quarter No. S-I/61 Civil Qtrs<br>Peshawar Cantt.  | GGPS Umar<br>Hifana Pesh.                  | Against<br>Newly<br>Created<br>PTC<br>Post                         |
| 25. | Irum Aziz D/O Abdul Aziz<br>Matric/PTC 1993-94 (829/1200)<br>H. J-3030 Street Jehangir Pura<br>Peshawar City   | GGPS Umar<br>Hifana Pesh.                  | Against<br>Newly<br>Created<br>PTC<br>Vice                         |
| 26. | Shazia Sultana D/O Taj Mohammad<br>Matric/PTC 1993-94 (828/1200)<br>H.No. 203/42 Alamgir Street<br>Peshawar  | GGPS Lal Zada<br>Koroona                   | Vice<br>Saeda<br>Tzoul.  |

**ATTESTED**

- 27. Azma Sharif D/O Sharif Mohammad  
F.A/PTC 1993-94 (827/1200)  
C/O H.H.G.H.S. Samar Bagh Peshwar  
GGPS Torki Koroonah  
Vice  
Tutor  
Trust
- 28. Anila Rehman D/O Fazal Rehman  
Matric/PTC 1993-94 (817/1200)  
Near Kakshal Opp. GHSS Kakshal  
GGPS Peshwar  
Cai Peshwar  
Vice  
Tutor  
Trust
- 29. Sumara Ambar D/O Fazal Karim  
F.A/PTC 1993-94 (812/1200)  
Fazir Abad NO. 2 Peshwar  
GGPS Area  
Khalil  
Hattar  
NO. 3  
Vice  
Tutor  
Trust
- 30. Safia Bibi D/O Gul Karim  
B.A/PTC 1993-94 (811/1200)  
H.No. FT 373 Muslim Abad  
NO.1 Street NO.3 Kakshal  
GGPS Darid  
Khalil Payan  
Vice  
Tutor  
Trust
- 31. Shazia Anis D/O H. Anis  
F.A/PTC 1993-94 (811/1200)  
Quarter No. 45 Shaheen Camp  
Peshwar.  
GGPS Sara  
Sheikhan  
Peshwar  
Vice  
Tutor  
Trust

TERMS AND CONDITIONS.

1. Their Appointment is purely Temporary and liable to termination any time without assigning reasons or notice.
2. In case of resignation They/She will have to submit one month prior notice to the Department or forfeit one month's pay in lieu thereof to the Govt.
3. They/She are required to produce Health & Age Certificate from the Medical Authorities Concerned (Civil Surgeon) before taking over charge provide they are not in Govt Service.
4. They/She should not be allowed to take over charge if his/her/their age is less than 18 Years or above 40 Years.
5. His/Her/Their appointment is/are subject to further condition that/he/she they are Domicile of (Peshwar).
6. All Educational Character and Domicile Certificates should be verified/checked before handing over charge if necessary it should be verified from the Institution Concerned.

ATTESTED  


7. If they/She fails to take over charge of the post within 15 days of the receipt of these orders the offer of appointment shall stand cancelled.

8. If her Certificate found bogus she will be handed over to the Police.

9. She should not claim transfer with THREE years i.e. Completion of Tenure.

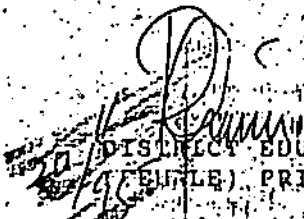
10. NO TA/DA etc is allowed being first appointed.

11. Charge Reports should be submitted to all concerned.

(MRS RASHIDA KHAN)  
DISTRICT EDUCATION OFFICER  
(FEMALE) PRIMARY PESHAWAR.

Encls. NO. 3435-3476/E/NO. 1/APPTT./PTC/DEO(F)II-AR. Dated 20.11.25  
Copy of the above is forwarded for information & n/action to the:-

1. Director Of Primary Education N.W.F.P. Peshawar.
2. P.S to Minister For Primary Education N.W.F.P. Peshawar.
3. P.S to Secretary Education Govt. Of N.W.F.P. Education Department.
4. Accountant General N.W.F.P. Peshawar.
5. Sub Divisional Education Officer (Female) Peshawar.
6. H.P.A. Concerned
7. Candidate Concerned.
8. Personal Files.

  
DISTRICT EDUCATION OFFICER  
(FEMALE) PRIMARY PESHAWAR.

**ATTESTED**

Annexure-10-B-

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

NOTIFICATION

Dated Peshawar the 06/8/2020

In exercise of the powers conferred by section 26 of the  
Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of  
1973) the Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber  
Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the  
following further amendment shall be made, namely:

AMENDMENT

In rule 7, sub-rule (5) shall be deleted.

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

EXISTING NO & EVEN DATE

Copy is forwarded to:-

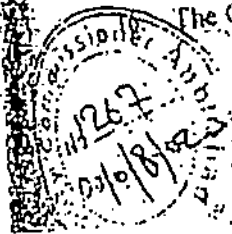
1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. The Deputy Director (IT), E&A Department.
14. All Section Officers in Establishment & Administration Department.
15. The Section Officer (Admn), Administration Department with the request to arrange 20 gazette copies.
16. The Caretaker, Administration Department.

(WAJDAH LATIF)  
DEPUTY SECRETARY (POLICY)

ATTESTED

Attested

ATTESTED



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

NOTIFICATION

Dated Peshawar the 06/08/2020

In exercise of the powers conferred by section 26 of the Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No XVIII) the chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules 1989, the following further amendment shall be made, namely:

AMENDMENT

In rule 7, sub-ruler (5) shall be deleted.

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

(ANDS): & EVEN DATE

Copy is forwarded to :-

1. Additional Chief Secretary, Govt of Khyber Pakhtunkhwa, Planning & Development Department)
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. The Deputy Director (IT), E&A Department.
14. All Section Officers in Establishment & Administration, Department.
15. The Section Officer (Admin), Administration Department with the request to arrange 20 gazette copies.
16. The Caretaker, Administration Department.

(WARDAH LATIF)  
DEPUTY SECRETARY (POLICY)

**ATTESTED**

Annexure - C



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. SO(Policy)(E&AD)/1-3/2020  
Dated Peshawar the June 06, 2023

62

To: The Government of Khyber Pakhtunkhwa,  
Elementary & Secondary Education Department.

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE  
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,  
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,  
I am directed to refer to your letter No. SO(Policy-MY&SH/22-  
2/Appointment/2023 dated 18.04.2023 on the subject noted above and to state that Sub-Rule  
(5) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer)  
Rules, 1989 stands deleted vide this department notification dated 06.08.2020; thus, no  
provision exists to decline or forgo promotion.

2. The basic rationale behind the deletion of the said rule is aimed at preventing a  
civil servant from temptation for illicit gain by sticking to a single lucrative post/position or to  
prevent those who tend to forgo promotion to evade posting/transfer or show lack of capacity  
to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every  
civil servant to accept promotion in every condition.

3. Furthermore, those officers/officials who do not comply with promotion order  
of the competent authority or try to evade promotion through different means shall be  
proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules,  
2011, please.

Yours faithfully,  
(Issa Nishtar Khan)  
Section Officer (Policy)

ASE  
7/6

Handwritten signature

Encl: Of even No & date

Copy forwarded to the:-

- 1. PS to Special Secretary (Reg), Establishment Department.
- 2. PA to Additional Secretary (Reg-II), Establishment Department.
- 3. PS to Deputy Secretary (Policy), Establishment Department.

Handwritten initials/signature

Handwritten date: 21.6.23

Section Officer (Policy)

ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
CIVIL SECRETARIAT PESHAWAR  
(Phone No.091-9223507)

No.SO (Primary-M)/E&SED/2-6/2023  
Dated Peshawar the June 26<sup>th</sup>, 2023

To

The Director  
Elementary & Secondary Education Department  
Khyber Pakhtunkhwa, Peshawar.

Aziz Ullah Khan  
President  
All Primary Teacher's Association, KP

*[Handwritten Signature]*  
26/6/23

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989.

I am directed to refer to the subject noted above and to enclose here with a letter of Establishment Department letter No. SO (Policy)E&AD/1-3/2020 dated 06 June, 2023 and to state that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the Chairmanship of Additional Secretary (E&SE) Department in his office.

2. You are, therefore, requested to depute a representative of your respective Department to attend the meeting on a date, time & venue as mentioned above, please.

Encl: AA

*[Handwritten initials]*

*[Handwritten Signature]*  
(MUHAMMAD ISHAQ)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

- 1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

*[Handwritten initials]*

*[Handwritten Signature]*  
SECTION OFFICER (PRIMARY MALE)  
26/6/23

~~ATTESTED~~



B/c 14  
No SO (Primary-M)/E&SED/2-6/2023  
Dated Peshawar the June 25<sup>th</sup> 2023

To

The Director  
Elementary & Secondary Education Department,  
Khyber Pakhtunkhwa, Peshawar

Aziz Ullah Khan President  
President  
All Primary Teacher's Association, KP

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER  
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION  
AND TRANSFER) RULES, 1989.

I am directed to refer to the subject noted above and to enclose here with a letter of Establishment Department letter No: SO (Policy)E&AD/1-3/2020 dated 06 June, 2023 and to state that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the Chairmanship of Additional Secretary (Estab) E&SE Department in his office.

2. You are, therefore, requested to depute a representative of your respective Department to attend the meeting on a date, time & venue as mentioned above, please.

Encl: AA

(MUHAMMAD ISHAQ)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

SECTION OFFICER (PRIMARY MALE)

WP4442-2023 AZIZULLAH VS GOVT OF PG43

~~ATTESTED~~

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

A meeting regarding the subject matter was held on 06-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting.

Annexure  
0

Sl#	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhtunkhwa
3	Mr. Rafiqal Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar

2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

3. After thorough discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

The meeting ended with a vote of thanks from the Chair.

(Mr. Fazal Wahid)  
Deputy Director  
E&SE Department

(Mr. Aziz Ullah)  
Provincial President  
All Primary Teachers Association  
Khyber Pakhtunkhwa

(Mr. Rafiqal Ullah)  
General Secretary APTA  
Peshawar

(Muhammad Ishaq)  
Section Officer (Primary-Male)  
E&SE Department

(Abjullah)  
Additional Secretary (Establishment)  
E&SE Department

~~ATTESTED~~

- B/C -

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

A meeting regarding the subject matter was held on 06-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting

S#	NAME	DESIGNATION
1.	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2.	Mr. Aziz Ullah	Provincial President All Primary Teachers Association: Khyber Pakhtunkhwa
3.	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4.	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar

2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

3. After threadbare discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

The meeting ended with a vote of thanks from the Chair.

(Mr. Fazal Wahid)  
Deputy Director-1  
E&SE Department

Provincial President  
All Primary Teachers Association  
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)  
General Secretary APTA  
Peshawar

(Muhammad Ishaq)  
Section Officer (Primary-Male)  
E&SE Department

(Abdullah)

Additional Secretary (Establishment)

**ATTESTED**



**Khyber Pakhtunkhwa Establishment Department**

To  
✓ The Section Officer (Primary-Male),  
Elementary & Secondary Education Department,  
Khyber Pakhtunkhwa Peshawar.

Subject: - MINUTES OF THE MEETING  
Dear Sir,

I am directed to refer to the letter No.SO(Primary-M)E&SED/3-1/  
G.Mix/Minutes of the Meeting/PST/2023 dated 19-07-2023 on the subject cited above and to  
present brief history about the background of the case as under:

- That Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) dated Rule 7(5) in the Civil Servants (Appointment, promotion & Transfer Rules 1989) vide notification No. No. SOR-VI (E&AD)/1-3/2020 dated 06-08-2020.
  - That this office sought guidance from your good office in the following words vide letter No.6987 dated 06-02-2023.
    - (i) Now it is obligatory upon the civil servant to accept Promotion in every condition.
    - (ii) It is the prerogative of the civil servant to either accept or turn down the offer of promotion.
  - That your good office forwarded the same to the quarter concerned vide letter No.SO (Primary-M) E&SED/3-2/Appointment/2023 for necessary guidance.
  - That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) vide letter No.SO (Policy) E&AD/1-3/2020 dated 6-06-2023 categorically stated that there exists no provision to decline or forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.
  - The same was received by this office from your good office vide letter No.SO (Primary-M) E&SED/2-2/Appointment/2023 dated 12-06-2023.
  - That in the light of the minutes of meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establishment at his office this office has been asked for submission of consolidated case.
- In view of the above, this office is of considered opinion that the deletion of Rules 7(5) have affected negatively a huge numbers of Female Teachers. Thus it is proposed that Teachers below D/G-16 may be exempted of implications of the amendment in the rules ibid provided they submit their written refusal prior to conduction of the meeting of Departmental Promotion Committee.

The case is submitted for perusal and necessary actions please.

Assistant Director (Estab M-1)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Encls: No. \_\_\_\_\_  
Copy of the above is to:-

1. PA to Director Local Directorate.
2. Master Copy.

Assistant Director (Estab M-1)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

**ATTESTED**

- B/C -

## DIRECTORATE OF ELEMENTARY &amp; SECONDARY EDUCATION, KPK

To:

PESHAWAR.  
(21-7-2023)Section Officer (Primary Male)  
Elementary & Secondary Education Department  
KPK, Peshawar.Subject: Minutes of Meeting

Dear Sir, I am directed to refer to letter No. (SO Primary-M) E&SED/S-1/GM/22/ Minutes of meeting/PST/2023 dated 10-7-2023 on subject cited above and to present brief history, about background of case as under:

- That Government of KP Establishment department (Regulation Wing) deleted rule 7(S) in Civil Servants (Appointment, promotion, Transfer Rule 1989) vide notification No. No. SDR-VI (E&AD) 1-3/2020 dated 06-08-2020.
- That this office sought guidance from your good office in the following words vide letter No. 6987 dated 06-07-2023
  - (i) Now it is obligatory upon civil servant to accept promotion.
  - (ii) It is prerogative of civil servant to either accept/turndown the offer of promotion.
- That your good office forwarded the same to a/venues concerned vide letter No. SO (Primary-M) E&SED/2-2/Appointment/2023 for necessary guidance.
- That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy) E&AD/1-3/2020 dated 6-06-2023 categorically stated that there exists no provision to decline/forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.
- That in light of the minutes of the meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establishment at his office. This office has been asked for submission of consolidated case.

In view of the above, this office is of considered opinion that the deletion of Rules 7(S) have affected negatively a huge members of Female teachers.

The case is submitted for perusal and necessary actions please.

Copy of the above to;

1. PA to Director Local Directorate
2. Master Copy

Assistant Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa.

~~ATTESTED~~



ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
CIVIL SECRETARIAT PESHAWAR  
(Phone No.091-8223587)

No. SO(Primary-M)E&SED/2-2/Appointment-Rule /2023  
Peshawar Dated 23<sup>rd</sup> August, 2023

Annexure  
E

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Establishment & Administration Department,  
Peshawar

**SUBJECT: - GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE CIVIL  
SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES  
1989).**

Dear Sir,

I am directed to refer to your letter No. SO(Polcy)/ E&AD/ 1-3/2020 dated 05<sup>th</sup> June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer Rules 1989) it has been intimated that those officers/ officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

2. In this connection it is submitted that in some cases lady teacher of primary level who avail such promotions have to face serious inconvenience while they have to perform duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father of mother-in-law who need care. In such cases, there are negative effects on service delivery.

3. In view of the above, the said amendment may be reconsidered to the extent of lady teacher in primary schools.

(MUHAMMAD ISEK) /  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa,
2. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

(Signature) /  
SECTION OFFICER (PRIMARY MALE)  
28/8/23

Scanned with CamScanner

ATTESTED

- B/c -

- 12 -

No. 50 (Primary - M) E&SE/D/8-2/  
Appointment - Rule/2023

Peshawar Dated 23rd August, 2023.

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Establishment and Administration Department,  
Peshawar.

SUBJECT: Guidance regarding deletion of Rule 7(S) in the  
Civil Servant (Appointment, Promotion & Transfer Rules  
1989)

Dear Sir,

I am directed to refer to your letter No. 50 (Primary) (Policy) / E&AD  
/1-3/2020 dated 07th June 2022 and to state that after  
deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment,  
Promotion and Transfer Rules 1989) it has been intimated that  
those officers/officials who do not comply with promotion order  
of the competent authority or try to evade promotion through  
different means shall be proceed under Khyber Pakhtunkhwa  
Civil Servant (Efficiency and Discipline) Rule 2011.

In this connection it is submitted that in some cases lady  
teacher of primary level who avail such promotion have to  
face serious inconvenience while they have to perform duties  
in the remotest stations with no residential/transport facilities.  
Most of them are married with kids and elder father of  
Mother-in-law who need care. In such cases there are negative  
effects on service delivery.  
In view of above, the said amendment may be reconsidered to  
the extent of lady teacher in primary schools.

Copy forwarded to;

1. Director E & SE Khyber Pakhtunkhwa.
2. PS to Secretary, E & SE Department Khyber Pakhtunkhwa

(Muhammad Ishaq)  
Section Officer (Primary  
Male)

ATTESTED



Annexure - F



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. SO(Policy)E&AD/1-3/2020  
Dated Peshawar the September 07, 2023

To.

The Secretary to Government of Khyber Pakhtunkhwa,  
Elementary & Secondary Education Department.

Subject: - **GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE  
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,  
PROMOTION AND TRANSFER) RULES, 1989.**

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-  
2/Appointment-Rule/2023 dated 23.08.2023 on the subject noted above and to state that  
necessary guidance has already been tendered to your good office vide this department letter of  
even No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

1. PS to Special Secretary (Reg), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PS to Deputy Secretary (Policy), Establishment Department.

WP4442-2023 AZIZULLAH VS GOVT CF PG43

21



- B/C -

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. SO(Policy)E&AD/1-3/2020  
Dated: Peshawar the September 07, 2023

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Elementary & Secondary Education Department.

Subject:-

GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE  
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,  
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-2/Appointment-  
Rule/2023 dated 23.08.2023 on the subject noted above and to state that necessary  
guidance has already been tendered to your good office vide this department letter of even  
No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

- 1. PS to Special Secretary (Reg), Establishment Department,
- 2. PA to Additional Secretary (Reg-II), Establishment Department
- 3. PS to Deputy Secretary (Policy), Establishment Department

Section Officer (Policy)

**ATTESTED**

## Annexure - G

To,

- 1) Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar
- 2) Secretary to Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Civil Secretariat, Peshawar
- 3) Director Elementary and Secondary Education Department

**Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020, DATED 06/08/2020, COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA, ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED**

Sir/ Madam:-

Your Honorable authority promulgated Notification No. SO (Policy) E&AD/1 3/2020, dated 06/08/2020, communicated to Elementary & Secondary Education vide letter dated 06/06/23 wherein it has been made mandatory to the employees to avail the promotion, otherwise, disciplinary action shall be taken against the employees. That, as per notification No. SD (Policy) /EDAD/1- 3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation-Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the Establishment Department vide its letter No. SO.(Policy) E&AD/1- 3/2020 dated Peshawar the June 06th, 2023 directed the Directorate of Elementary & Secondary Education that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. That Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. In the meanwhile, the department vide its letter dated 07th of September 2023 directed the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa that necessary guidance has already been provided to the department and therefore no provision exists to decline or forgo promotion and those teachers who do not comply with the promotion order of the competent authority or try to evade promotion through different means shall be proceeded under the Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

**It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&D/1-3 1-2020 DATED 06/08/2020, communicated to vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.**

Dated 10/03/2024**ATTESTED**

GUL SHAHEEN  
WIFE OF  
MUHAMMAD TAYEB  
SPST *Gul Shaheen*

~~ATTESTED~~

WP4442-2023 AZIZULLAH VS GOVT OF PUNJ

Handwritten signature and date: 08/11/23

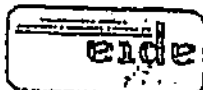
Main body of handwritten text in Urdu, likely a legal statement or affidavit. The text is dense and spans several lines.

Handwritten signature and date: 08/11/23

Annerware - H

Handwritten text at the bottom of the page, possibly a name or address.

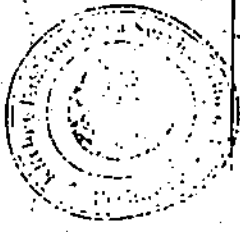
APTA Housari  
Govt. Primary School No.4,  
Gurbahar Poshwar City.



Khyber Pakhtunkhwa

APTA  
President  
0333-0412548  
0333-0412548@apta.gov.pk  
www.apta.gov.pk

07.05.2024



1. Learned counsel for the appellant present.

2. Let a pre-admission notice be issued to the respondents through TCS for submission of reply/comments. Appellant is directed to deposit TCS expenses within three days. To come up for reply/comments as well as preliminary hearing on 10.06.2024 before S.B. P.P given to learned counsel for the appellant.

03. Alongwith the service appeal there is an application for suspension of Notification dated 06.06.2023 and letter dated 23.08.2023 till the final disposal of main service appeal. In the meanwhile, no adverse action shall be taken against the appellant till next date of hearing.

Certified to be true copy (Muhammad Akbar Khan)  
Member (F)

*[Handwritten signature]*  
13/5/24

Date of Presentation of Application 10-5-24

Number of 1

Copies 1

Urgent Yes

Total 1

Name of ---

Date of 13-6-24

Date of Delivery of copy 12-6-24

~~ATTESTED~~

26

# VAKALAT NAMA

## BEFORE THE SERVICE TRIBUNAL PESHAWAR

**GUL SHAHEEN**  
Versus

Appellant

Government of KP & others

Respondents

**I (the Appellant)**

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC

BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM


to act and appear for me in the above Suit and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any petition connected with the same or any decree or order passed therein and Applications for review to file and obtain return of documents, and to represent me/us and to take all necessary steps on my/our behalf in the above matter.

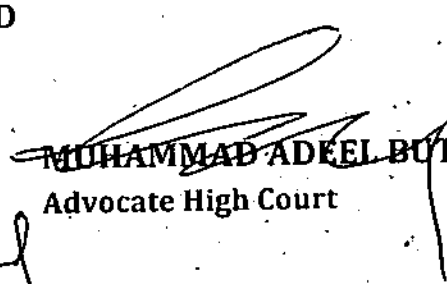
I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.



**APPELLANT**

**ACCEPTED**

  
**MUHAMMAD MUAZZAM BUTT**  
Advocate Supreme Court

  
**MUHAMMAD ADEEL BUTT**  
Advocate High Court

  
**BASSAM AHMAD SIDDIQUI**  
Advocate High Court